

REISSUE APPLICATION DECLARATION BY THE INVENTOR

Docket Number (Optional)
39262/256238

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is described and claimed in patent number 5,891,143, granted April 6, 1999, and for which a reissue patent is sought on the invention entitled Orthopaedic Fixation Plate,

the specification of which

☒ is attached hereto.

☒ was filed on _____ as reissue application number _____ /
and was amended on _____
(If applicable)

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I verily believe the original patent to be wholly or partly inoperative or invalid, for the reasons described below. (Check all boxes that apply.)

☐ by reason of a defective specification or drawing.

☒ by reason of the patentee claiming more or less than he had the right to claim in the patent.

☐ by reason of other errors.

At least one error upon which reissue is based is described as follows:

[Page 1 of 3]

Burden Hour Statement: This form is estimated to take 0.5 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

(REISSUE APPLICATION DECLARATION BY THE INVENTOR, page 2)

Docket Number (Optional)
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All errors corrected in this reissue application arose without any deceptive intention on the part of the applicant. As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Name(s) Registration Number
See attached list See attached list

Correspondence Address: Direct all communications about the application to:

☒ Customer Number

23370

Place Customer Number
Bar Code Label here

OR

Type Customer Number here

☐ Firm or
Individual Name

Address

Address

City

State

ZIP

Country

Telephone

Fax

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.

Full name of sole or first inventor (given name, family name)
J. Charles Taylor

Inventor's signature x

J. Charles Taylor

Residence
709 Center Drive, Memphis, Tennessee 38112

Date
x 4/4/01

Mailing Address
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Citizenship
U.S.

Full name of second joint inventor (given name, family name)
Harold S. Taylor

Inventor's signature x

Harold S. Taylor

Date
x 4-4-01

Residence
689 East Drive, Memphis, Tennessee 38112

Citizenship
U.S.

Mailing Address
Same as above

Full name of third joint inventor (given name, family name)
N/A

Inventor's signature

Date

Residence

Citizenship

Mailing Address

☐ Additional joint inventors are named on separately numbered sheets attached hereto.

Attorney and/or Agent	Registration No.
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John M. Harrington	25,592
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Kyle M. Globberman	46,730
Tywanda L. Harris	46,758
Kristin D. Mallatt	46,895
Cynthia B. Rothschild	47,040
John C. Alemanni	47,384
Geoffrey K. Gavin	47,591
Robert M. Stevens	47,972

In addition to the above, the following associate attorneys are hereby appointed to prosecute and transact all business in the U.S. Patent and Trademark Office connected therewith:

Joel Petrow	30,886
William B. Clemmons, Jr.	32,558
George Stacey	35,688

(Page 3 of 3)

STATEMENT UNDER 37 CFR 3.73(b)Patent Owner: J. Charles Taylor and Harold S. TaylorPatent No.: 5,891,143Issue Date: April 6, 1999Entitled: Orthopaedic Fixation PlateSmith & Nephew, Inc., a corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of an undivided part interest

in the patent application/patent identified above by virtue of either:

- A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

- B. ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: John Charles Taylor and Harold S. Taylor To: Smith & Nephew, Inc.

The document was recorded in the United States Patent and Trademark Office at Reel 9595, Frame 0843, or for which a copy thereof is attached.

2. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

3. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

- ☐ Additional documents in the chain of title are listed on a supplemental sheet.

- ☐ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.8]

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

4 APR 01

Date

Joel Petrow

Signature

Joel Petrow

Typed or printed name

Assistant Secretary

Title

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: J. Charles Taylor and PATENT NO. 5,891,143
Harold S. Taylor

SERIAL NO.: 954,003 GROUP ART UNIT:

FILED: April 6, 1999 EXAMINER:

FOR: ORTHOPAEDIC FIXATION PLATE

Box REISSUE
Commissioner for Patents
Washington, D.C. 20231

ATTORNEY DOCKET NO.: 39262/256238
DATE: April 6, 2001

ASSENT OF ASSIGNEE AND OFFER TO SURRENDER ORIGINAL PATENT

Sir:

Smith & Nephew, Inc. is the owner of the entire right, title, and interest in U.S. Patent No. 5,891,143 by virtue of an assignment from John Charles Taylor and Harold S. Taylor recorded in the U.S. Patent and Trademark Office on November 17, 1998 at Reel No. 9595, Frame 0843.

Pursuant to 37 C.F.R. §1.172(a), the undersigned assignee assents to the filing of the accompanying reissue application and assents to the filing of the Declaration for Reissue Patent Application of the inventors thereof.

Pursuant to 37 C.F.R. § 1.178, Smith & Nephew, Inc. hereby offers to surrender original U.S. Letters Patent 5,891,143 conditioned upon the reissue of said Letters Patent.

The undersigned is authorized to act on behalf of Smith & Nephew,

Inc.

SMITH & NEPHEW, INC.

Date: 4 Apr 2001

By: Joel Petrow

Name: Joel Petrow

Title: Assistant Secretary